

U. S. BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

**ROANOKE CALENDAR - JULY 8, 2002**

(The Honorable William F. Stone, Jr. Presiding)

(Start: \_\_\_\_\_ Recess: \_\_\_\_\_ ♦ Resume: \_\_\_\_\_ Stop: \_\_\_\_\_ ♦ Trials: \_\_\_\_\_ Proceedings \_\_\_\_\_)

Attys:                      Debtors:    Case Nos.:                      Trustees:

**9:30 A. M. - CHAPTER 13 CONFIRMATIONS**

Krippend.      BOBBY HARPER    7-02-01875                      Connelly/SL  
                         **–Renoticed for new §341 & conf hrg (conf hrg now 7/29 @ 9:30)**

Shelor              LEETROY & DORIS WALLER-ch13                      7-02-01615                      Connelly/SL  
                         Plan & Summary filed 5/1 w/c-s all creditors  
                         **Objection: City of Roanoke, filed 6/28; d/e # 16, (Collins)**

Trustee Report, Objection and Showcause: Dismissal: filed 5/17; d/e # 14

T. Giles              DENNIS & ANDREA HAWLEY - Ch. 13                      7-01-04671                      Connelly/VS  
                         Mod. Plan filed 4/9 [d/e #29] contd fr 6/10  
                         **–PLAN CONFIRMED 6/21, d/e/#36, & hearing cancelled**

Sapp                      HAILLE & SHIRLEY HAM-    7-02-01807                      Connelly/NS  
                         Plan filed 4/24, d/e # 6, 7  
                         Trustee Report, OBJECTION and Showcause: Dismiss/convert filed 6/3, d/e # 15

Giles                      WILLIS & LOUISE MONROE-ch13    7-02-01621                      Connelly/VS  
                         **–NOTE: Mod Plan filed 6/6; set for 7/29 @ 9:30**  
                         Trustee Report, Objection and Showcause: Dismissal: filed 5/17; d/e # 14

Janney/  
Krippend.      DEBORAH PROCTOR    7-02-00663                      Connelly/PR-MC  
                         Mod Plan (2<sup>nd</sup>) filed 5/15, d/e # 32, 35

**9:30 A. M. - CHAPTER 13 CONFIRMATIONS**

M Hart	LINDA MABRY-ch13 Mod Plan #1 filed 5/13, d/e # 24, 25	7-02-00557	Connelly/NS
Trustee Showcause motion continued from 5/13, d/e # 20, filed/amended 3/27; d/e #30			
Delafield	ENELE FAU-ch13 Plan filed 4/17; d/e # 6, 12 <b>Objection:</b> B.L.W. LLC (Greenberg) filed 5/6, d/e # 13 <u>ANSWER, d/e # 20</u> City of Roanoke (Collins) filed 6/28; d/e # 21	7-02-01630	Connelly/MC-PR
Trustee Report, OBJECTION and showcause on dismissal filed 5/28; d/e # 16			
Motion for Valuation of 1997 Chevy Blazer–lienholder, First Investors Financial Services, Inc. <b>–ORDER of 6/6 set value at \$10,500</b>			
P Brown	SHIRLEY CARTER- Plan filed 4/19, d/e # 6	7-02-01697	Connelly/NS
Trustee Report, OBJECTION and showcause on dismissal or conversion filed 5/28; d/e # 13			
M Black	ROXANNE CASSIDY Plan filed 5/7 with c/s, d/e # 11	7-02-01730	Connelly/PR
Trustee Report, OBJECTION and showcause on dismissal filed 5/28; d/e # 15			
Krippendorf	JAMES BLACKBURN - Ch. 13 Mod Plan filed 6/12, contd from 6/24 <b>Objs</b> Trustee w/Report; Show Cause: Dismissal/Conversion [d/e #15 & 17 ]	7-02-01405	Connelly/SL
Roanoke Calendar - 7/8/02			

**9:30 A. M. - CHAPTER 13 CONFIRMATIONS**

Delafield	RONALD ROBBINS - Ch. 13 Plan filed 5/13, d/e # 18 Trustee's report, OBJECTION and showcase: Dismiss/convert filed 6/3, #21 <b>Objection:</b> City of Roanoke(Collins) filed 6/28; d/e # 30 IRS filed 6/24, d/e # 27 (Brownlee/Fogg)  Motion for Valuation on household furnishings—lienholder, Schewel Furniture Co. [d/e #19} <b>—ORDER of valuation (default) entered 7/21; d/e # 31</b>	7-02-01774	Connelly/NS
P Brown	AUDWIN & CYNTHIA ANDERSON-ch13 <i><b>note: mod plan filed 6/17 scheduled for 8/12 @ 9:30</b></i>  <b>Objections contd fr 5/13:</b> Regional Acceptance Corp (Kirkpatrick) filed 3/18, d/e # 13 Trustee—w/Report & Show Cause on Dismissal or Conversion[d/e #14]  Motion for Valuation: 1996 Lincoln Continental: Regional Acceptance filed 5/28; d/e # 21	7-02-00657	Connelly/NS
Krippendorf	MICHAEL & ROXANE HILL-ch13 Plan (initial) filed 5/6 w/c-s all creditors, d/e # 15  Trustee Report, OBJECTION and showcase on dismissal filed 5/28; d/e # 18	7-02-01744	Connelly/SO
P Brown	GWENDOLYN CANNADAY-ch13 Mod Plan filed 5/20, d/e # 25, 26 ; c/s filed 5/23, d/e # 27	7-02-00635	Connelly/SL

Roanoke Calendar - 7/8/02

## 9:30 A. M. - CHAPTER 13 CONFIRMATIONS

Krippendorf	DEBRA CAMPBELL - Ch. 13 Plan filed 4/29, d/e # 5 Trustee's Report w/Show Cause on Dismissal or Conversion [d/e # 19] <b>Objection:</b> Michael D. Hart, PC filed 6/25 d/e # 23	7-02-01855	Connelly/SL
-------------	---	------------	-------------

Motion for Valuation of 1995 Chevy S10 Truck (\$7,376.45)–First Citizens Bank,  
Lienholder [d/e # 18]

(Note: val motion re: Grand Piano filed 6/20 set for 7/29 @ 9:30)

### **10:00 A.M. - CONFIRMATION HEARINGS**

M. Giles                      VIVIAN BOONE - Ch. 13                      7-01-02264                      Connelly/JJ  
    Plan – *Order of 5/9 cont'd confirmation hearing & decision on Barbara Obenchain's Motion to Dismiss* [d/e #45]

## 11:00 A. M. - CHAPTER 13 CONFIRMATIONS

Bowman KIM PERKINS –*recusal from RWK* 7-01-04818 Connelly/AF  
**NOTE; further mod of plan filed 6/28; set by 7/2 ord/ntc for 8/26 @ 9:30**  
*Mod Plan filed 5/13 [d/e # 59]*  
**Objection:** City of Roanoke (Collins) [d/e # 69]  
Elizabeth Perkins (Foster) filed 6/28; d/e # 71  
Contd hearing on Trustee’s Report & Showcause filed 2/7 [#31, 35, 42] contd fr 2/13 &  
3/13 & 5/13  
**Objection to prior plan :** First Union Natl Bk (Mason) filed 4/8; d/e # 49 ; contd fr 5/13

Motion #2: Relief - filed 3/18; d/e # 36 - contd fr 5/13  
First Union National Bank (Mason) v. debtor & trustee  
Response filed 3/18; d/e # 38 ; Summary in opposition to M2 & M3, d/e # 50 filed 4/8

Motion #3: Relief - filed 4/3, d/e # 46; contd fr 5/13  
First Union National Bank (Mason) v. debtor & trustee  
Debtor Summary in opposition to M2 & M3, d/e # 50 filed 4/8

# Roanoke Calendar - 7/8/02

**11:00 A. M. - MISCELLANEOUS HEARINGS**

Delafield      CASSANDRA COLES-      7-99-00078      Connelly/AF  
Motion of Trustee to dismiss, filed 10/26, d/e #39; **contd fr 11/28 & 6/10 for status hrg**

Delafield      LILLIAN KING      7-01-03419      Connelly/VS  
Motion of Trustee to Dismiss or Convert, filed 5/16; d/e # 54 - contd fr 6/10 [d/e # 57]

Krippend.      JAMES & MARY WHEAT-chl3      7-01-04901      Connelly/VS  
Obj of Debtor to Claim #12 of Capital One Bank (amended) filed 5/29; d/e # 44  
*–note : proof of service & proposed order tendered in court on 6/24*  
  
Obj of Debtor to Claim #13 of Capital One Bank (amended) filed 5/29; d/e # 45  
*–note : proof of service & proposed order tendered in court on 6/24*  
  
Motion for Valuation of range, chain saw (Lowe’s Home Centers) [d/e # 46]  
  
Motion #1: Relief–filed 6/4 [d/e #47]  
Nat’l City Mortgage Co. (Sasser) v. Debtors & Trustee  
–Response filed 6/14, d/e # 55  
  
Debtor Motion to Suspend Payments filed 6/14, d/e # 54

Taylor  
(Gibson)      MARY COX-chl3      7-02-00690      Connelly/LM  
Obj of Debtor to Claim #19 of Va. Dept of Taxation filed 5/29, d/e # 23

Roanoke Calendar - 7/8/02

**11:00 A. M. - MISCELLANEOUS HEARINGS**

Ludwig	STEFANIE WILSON-chl3	7-01-03855	Connelly/SL
	Motion #1: Relief - filed 3/29, d/e # 24, 25; contd fr 4/15 & 5/13		
	GMAC Mortgage Corp (Sasser/McLean ) v. debtor & trustee		
	<u>-Response filed 3/28, d/e # 27</u>		
	<b>(Agreed Order denying w/conditions entered 6/18)</b> [d/e # 35]		
M.Hart	OLDEN & DARLINE GREEN - Ch. 13	7-97-02985	Connelly/SL
	Motion #1: Relief [d/e #48] – CONTD from 6/3		
	CitiFinancial Mortgage Co. (Jaffe) v. Debtors & Trustee		
M Hart	DELORES KUSTER-ch7	7-02-02300	McLean/SO
	Motion #1: Avoid lien - filed 6/11; d/e # 10, 11		
	Debtor v. Citifinancial Inc		
	<b>–ORDER (default) entered 7/5 voiding lien, canceling hearing</b>		
Shelor	AMANDA HURLEYchl3	7-01-04356	Connelly/JJ
	Motion #1: Relief from stay filed 6/20; d/e # 29 (no pre-hrg ord; less than 20-day ntc)		
	Washington Mutual Bank (Christine Patterson) v. debtor & trustee		
	<b>–ORDER of 7/1 withdraws Mot. #1, cancels hearing</b>		
	 <i>*note: re: Mot. #2; relief from <u>co-debtor stay</u>; - ord/ntc on hearing for objections , if filed, entered fixing 7/29 @ 11 hrg date instead of date of 7/8 noticed by movant;</i>		
	<b>–ORD also entered as to Mot #2, cancelling 7/29 hearing</b>		
Creasy	CROY CONTRACTING INC-chll	7-98-04423	DIP/PR
	Final Report/Final Decree contd fr 4/30 & 5/13		
	-contd further from 6/10 for pmt of quarterly fees to UST		

Roanoke Calendar - 7/8/02

**2:00 P. M. - PRE-TRIAL CONFERENCES /CONFIRMATION/RELIEF MOTION**

Giles REBECCA LANE-ch7 7-02-01657 Vogel/S  
A/P 7-02-00057: Obj to or revoke discharge  
US Trustee for Region Four (Garber) v. debtor  
  
Motion # 1: Relief – filed 6/10 [d/e # 16]  
Citifinancial Mortgage Co. (Jaffe) v. Debtor & Trustee  
**–Order (Default) of 6/28 granted relief, cancels hearing**

Mayer RICHARD SAUCEDA JR-ch13 7-02-00189 Connelly/JM  
A/P 7-02-00031: Det. Validity, priority, or extent of lien or other interest in property  
Joan Kline Petrus (B.Albert) v. debtor;(Mayer); Citifinancial Inc ( ) &  
Rebecca Connelly, Trustee ( )  
**–Motion for default Judgment filed by plaintiff 4/29, d/e # 7**  
  
Plan filed 1/15, d/e # 6, #7 contd from bench 6/10 to hear w/pending AP & by order [d/e # 25]  
**Objection:** Trustee–w/Report and Show Cause on Dismissal or Conversion [d/e #19]

Copeland COVER GIRL SEEDING INC-ch7 7-00-01332 Callahan  
A/P 7-02-00045: Recover preferential transfers; *contd by agr fr Abg 7/3 calendar*  
Wm. E. Callahan Jr. (Scott) v. Caudill Seed Company(Fleischhauer) S

**2:00 P. M. - MISCELLANEOUS HEARINGS**

Janney/  
Krippend. RUSSELL CLAYBORNE-ch13 7-02-00987 Connelly/NS  
Motion of Counsel for Debtor to Withdraw as counsel of record, filed 5/29; [#21]  
*–Contd fr 6/24 for further notice to debtor, filed 6/25, d/e # 26*  
**–CASE DISMISSED 7/5; failure to comply w/court orders**

P Brown FRITZ REID-ch7 7-00-03087 McLean/NS  
Obj of Trustee to Claim #11: Chase Manhattan Bank; \$2,301.68, filed 3/20; d/e # 21  
- *amended Obj and Notice filed 5/20; d/e # 27*  
  
Obj of Trustee to Claim #12: Bk of American: \$10,116.50; filed 3/20; d/e # 22  
- *amended Obj and notice filed 5/20; d/e # 28*

M Giles ANTHONY & TERESA FRANCO-ch7 7-02-01414 Vogel/VS  
Motion #1: relief - filed 5/29; d/e # 13, 16 (ord tendered to cont. stay to hrg)  
Bethpage Federal Credit Union (Fleischhauer) v. debtors & trustee  
**–ORDER of 6/20 granted relief (agreed), cancels hearing**  
Roanoke Calendar - 7/8/02

**2:00 P. M. - MISCELLANEOUS HEARINGS**

Harrison	RICHARD SMITH	7-90-02527	McLean/NS
	Obj To Claim #2: Roanoke Postal Employees Fed. Cr. Un , filed 5/20; [#28]		
Pro se	ANGELA AKERS-ch7	7-02-01253	Krippend/MC
	Mot of Trustee for Extension to file obj. to exemptions, complaints re discharge or dischargeability; filed 5/28; d/e # 30 <b>(Order entered 6/4 dismissing case for failure to file filing fee w/in time allowed) #33</b> <b>--ORDER of 6/17, d/e # 38, withdrew trustee's motion for ext. of time</b>		
Szathmary	JULIANNA ASHBY-ch7	7-02-00806	Allen/JJ
	Motion for Examination undner Rule 2004 filed by U. S. Trustee (Garber) on 5/23 d/e # 13  Motion of U. S. Trustee to Extend Debtor's discharge and time for filing Motion to Dismiss or Complaint to Deny Discharge, filed 5/23, d/e # 14 (Garber)		
Zadell	WILLIAM & ASAMI PARKS - Ch. 7	7-02-01893	Krippendorf/PR/MC
	Motion # 1: Relief [d/e # 10] Citifinancial Mortgage Co. (Jaffe) v. Debtors & Trustee <b>--default order tendered 6/27; entered_6/28</b>		
Padgett	WILLIAM JONES-ch7	7-02-01988	Krippend/AF
	Motion #1: relief - filed 6/12, d/e # 12, 14 Citibank NA (Clarke) v. debtor & trustee  Motion #2: Relief - filed 6/12, d/e # 13, 15 Citibank NA (Clarke) v. debtor & trustee		
M Giles	REBECCA LANE-ch7	7-02-01657	Vogel/NS
	Motion #1: Relief - filed 6/10, d/e # 16, 17, 18 CitiFinancial Mortgage Co (Jaffe) v. debtor & trustee <b>--DUPLICATE OF MOTION AT TOP OF PAGE 7 (resolved by O/E)</b>		
Roanoke Calendar - 7/8/02			

**2:00 P. M. - MISCELLANEOUS HEARINGS**



P Brown      \*\*RAY HAIRSTON-ch7      7-99-04316      McLean/JJ  
Motion of Trustee to Dismiss case filed 3/5, d/e # 54, 69 **contd from 4/2 & 5/13**  
**pending bifurcation (see case below)**

P Brown      \*\*DIANA HAIRSTON-ch7      7-02-02380      McLean/AF  
(*Mot to bifurcate granted at 5/13 hrg w/otbt & contg dismissal mot*)  
Motion of Trustee to Dismiss case filed 3/5, [d/e#5 in bifurcated case)

Krippendorf      RONNIE, SR., & EUNICE TERRY - Ch. 7      7-02-01959      Creasy/SL  
Motion #1: Relief [d/e # 10]  
Homeside Lending, Inc. ( C. Patterson ) v. Debtors & Trustee  
Response filed 6/21, d/e # 13

M Giles      LEROY JACKSON-ch7      7-00-03008      McLean/AF  
Motion #3: Relief - filed 6/11; d/e # 76, 77  
Member One FCU (J. Patterson) v. debtor & trustee  
**–ORDER of 6/27 granted relief, cancels hearing**

Note: Big Stone Gap Case set on 7/8 @2:00 in error 7-02-01790 with BSG address – attorney (Christopher Fogleman) being notified by deficiency notice to re-notice for proper Big Stone Gap hearing date  
M1: Citizens Auto Finance v. Dillon (Callahan, trustee) (*deficiency notice of 6/28 required contact with calendaring clerk for new date and cure of deficiency by 7/8*)

### **2:30 P. M. - MISCELLANEOUS HEARINGS**

McLean      RICHARD MCGARRY-ch7      7-98-02509      Allen/JM  
Motion for determination of whether debtor should be required to produce additional  
time sheets & accounting for Personal Injury cases which debtor was handling as of date  
of filing petition as requested by Ch 7 trustee contd from 2/4 by order of 2/5, d/e #45  
#47 & #48–*heard on 3/18 & TUA*

Roanoke Calendar - 7/8/02

### **2:30 A. M. - MISC**

Magee

INNOVATIVE DESIGN & MACHINE  
CONTROLS INC-chll

7-02-02078

DIP/AF

Notice hearing on motion for disbursement of proceeds of sale d/e # 42, 43  
& Notice of hearing on Motion to Shorten requirement for notice d/e # 42, 43  
**OBJ:** First International Bank (K.Taylor) filed 7/3; d/e # 44

**3:00 P. M. - TRIAL**

M Hart/

Dickenson

PATRICIA MEDLIN-ch7

7-01-02120

Krippendorf

A/P 7-01-00185: Recover money or property  
Evelyn Krippendorf, Trustee (Krippendorf) v. Debtor (M Hart/Dickenson) and  
Robert Edward Medlin ( Neil McNally )